

HOUSE BILL 21
By Newton

AN ACT to amend Tennessee Code Annotated, Title 39, Title 40 and Title 41, relative to the punishment of inmates sentenced to the department of correction, local jails or workhouses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 11, Part 1, is amended by adding the following new section:

Section _____. In addition to the punishment authorized by the specific statute prohibiting the conduct, it is a part of the punishment for any offense that the person committing such offense may, during any period of incarceration imposed by the court in the department of correction, local jail or workhouse, be sentenced to perform labor wearing leg irons in chain-gang type work groups.

SECTION 2. Tennessee Code Annotated, Section 40-35-104, is amended by adding the following new subpart to subsection (c):

() A sentence to perform labor wearing leg irons in chain-gang type work groups in conjunction with a sentence of confinement in a local jail, workhouse or the department of correction;

SECTION 3. Tennessee Code Annotated, Section 40-35-211, is amended by adding the following as a new subsection:

() If the court imposes a sentence to perform labor wearing leg irons in chain-gang type work groups in conjunction with a sentence of confinement in a local jail,

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workhouse or the department of correction, it shall specify on the judgment of conviction whether the defendant is required to perform chain-gang type labor for all or a certain percentage of such defendant's sentence.

SECTION 4. Tennessee Code Annotated, Title 41, Chapter 22, Part 1, is amended by adding the following as a new section:

Section____. By November 1, 1997, the department of correction shall by rule promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5, devise and implement such program or programs as are necessary to carry out the sentence of all inmates who are sentenced to the department to perform hard labor wearing leg irons in chain-gang type work groups.

SECTION 5. Tennessee Code Annotated, Title 41, Chapter 2, Part 1, is amended by adding the following as a new section:

Section____. By November 1, 1997, the board or workhouse commissioners in any county with a separate workhouse shall devise and implement such program or programs as are necessary to carry out the sentence of all inmates who are sentenced to the workhouse to perform hard labor wearing leg irons in chain-gang type work groups.

SECTION 6. Tennessee Code Annotated, Title 41, Chapter 4, Part 1, is amended by adding the following as a new section:

Section____. By November, 1997, the sheriff of each county shall devise and implement such program or programs as are necessary to carry out the sentence of all inmates who are sentenced to the local jail to perform hard labor wearing leg irons in chain-gang type work groups.

SECTION 7. For the purpose of devising chain-gang work group programs, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on November 1, 1997.